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On January 31st, 2003

By Sanjay S. Bagade

Sanjay S. Bagade

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PATENT

Attorney Docket No.: CB-7-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MICHAEL A. BAKER et al.

Application No.: 09/586,295

Filed: June 2, 2000

For: **SYSTEMS FOR ELECTROSURGICAL
TISSUE TREATMENT IN THE PRESENCE OF
ELECTRICALLY CONDUCTIVE FLUID**

Examiner: M. Mendez

Art Unit: 3739

RESPONSE

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FEB 20 2003

TECHNOLOGY CENTER R3700

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Office Action mailed July 31, 2002, for which a response was due October 31, 2002. Applicant submits a request for 3 months extension thereby extending the time for response to January 31, 2003. Thus, this response is timely filed.

REMARKS

Presently claims 11-20 are pending in the subject application.

35 U.S.C. §102

The Office Action rejected claim 11 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,116,198 to Roos. Applicant disagrees.

Applicant respectfully points out that claim 11 requires an insulating shield coupled to a distal end of a shaft, the shield having a distal surface spaced distally from